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United States Senate

COMMITTEES:
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ENVIRONMENT AND PUBLIC WORKS
FOREIGN RELATIONS
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November 7, 2013

The Honorable Jon Wellinghoff
Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Dear Chairman Wellinghoff:

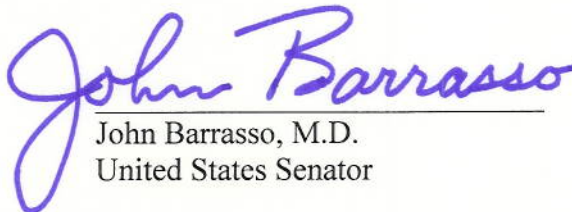
I write to express my concerns about your decision to serve as Chairman of the Federal Energy Regulatory Commission (FERC) until the end of this session of Congress. While the Federal Power Act allows you to stay at FERC until the end of the session, it is not clear whether you have recused yourself from all appropriate matters pending before FERC in light of your recent announcement to join the law firm, Stoel Rives, L.L.P., upon leaving the commission.

On October 29th, *E&E News* quoted you as saying: "I currently am and have for several months recused myself from all cases where Stoel Rives has a client....Fortunately, Stoel Rives has very few cases before FERC [s]o I can continue to vote on the vast majority of cases while at FERC." I interpret your remarks to mean you have recused yourself from participating in contested FERC proceedings to which a Stoel Rives client is a party. However, it is not clear whether you are participating or will participate in actions such as rulemakings which apply generally. I find the lack of transparency surrounding your recusal to be troubling. As Chairman, you are in an ideal position to influence such actions as rulemakings for the benefit of specific parties or sectors.

FERC is an independent agency. Independent agencies must exercise expert judgment free of even the appearance of undue political influence. All individuals serving at FERC must exhibit the utmost impartiality. For that reason, I ask you to explain, in detail, all the matters from which you have recused and will recuse yourself as well as your reasoning for not recusing yourself from any matters that would affect Stoel Rives' current or future clients. Until you do so, FERC will have difficulty in retaining the public's confidence in the integrity of its decisions.

Thank you for your consideration and I look forward to your prompt response.

Sincerely,



John Barrasso, M.D.
United States Senator